

KING & SPALDING LLP  
Richard A. Cirillo, Esq.  
1185 Avenue of the Americas  
New York, NY 10036  
Telephone: (212) 556-2100  
Fax: (212) 556-2222  
Email: rcirillo@kslaw.com  
*Counsel for NBK Banque Privée (Suisse) SA*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

Adv. Pro. No. 08-01789-BRL

v.

SIPA Liquidation

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

(Substantively Consolidated)

Defendant.

-----X  
In re:

BERNARD L. MADOFF,

Debtor.

-----X

**NOTICE OF APPEARANCE AND  
REQUEST FOR SERVICE OF NOTICES**

PLEASE TAKE NOTICE that King & Spalding LLP hereby appears in the above-captioned case as counsel to NBK Banque Privée (Suisse) SA (“NBK Banque Privée”). Pursuant to Title 11 of the United States Code (the “Bankruptcy Code”), 11 U.S.C. § 101 *et seq.*, and Rules 2002, 9007, and 9010 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy

Rules”), King & Spalding LLP requests that all notices given or required to be given in this case, and all papers served or required to be served in this case, be given and served upon the following persons at the addresses and numbers set forth below:

Richard A. Cirillo  
KING & SPALDING LLP  
1185 Avenue of the Americas  
New York, New York 10036  
Tel: (212) 556 2100  
Fax: (212) 556 2222  
email: rcirillo@kslaw.com

PLEASE TAKE FURTHER NOTICE that the foregoing request includes, without limitation, any and all notices in respect of any application, motion, petition, pleading, request, complaint, demand, order or any other paper filed in this proceeding whether such notice is formal or informal, written or oral, and whether transmitted by hand delivery, United States Mail, electronic mail, expedited delivery service, telephone, telex, telecopy or otherwise.

PLEASE TAKE FURTHER NOTICE that neither this appearance and demand for notice and service of papers, nor any subsequent appearance, pleading, claim or suit, shall constitute a consent to jurisdiction of the Bankruptcy Court for any purpose other than the determination of NBK Banque Privee’s claim in this SIPC proceeding. Further, neither this appearance and demand for notice and service of papers, nor any subsequent appearance, pleading, claim or suit, shall constitute a waiver of the substantive or procedural rights of NBK Banque Privee, including without limitation: (i) the right to have final orders in non-core matters entered only after *de novo* review by a district court judge, (ii) the right to trial by jury in any proceeding so triable or in any case, controversy, or proceeding related hereto, (iii) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (iv) any other rights, claims, actions, defenses, setoffs, or recoupments to which NBK Banque Privee is or may

be entitled, in law or in equity, all of which rights, claims, actions, setoffs and recoupments are expressly reserved.

Dated: January 6, 2010  
New York, New York

KING & SPALDING LLP

By: /s/ Richard A. Cirillo

Richard A. Cirillo, Esq.

Lauren W. Mitchell, Esq.

1185 Avenue of the Americas

New York, NY 10036

Tel: (212) 556 2100

Fax: (212) 556 2222

*Attorneys for NBK Banque Privée (Suisse) SA*